

Article - Health - General

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§22-502.

(a) In accordance with the Administrative Procedure Act, for the protection of the public health and safety, the Secretary may adopt rules and regulations that:

(1) Declare to be a hazardous material any substance that the Secretary finds:

(i) Meets the standards for being a hazardous material;

(ii) Is a toy or other substance intended for use by children that presents an electrical, mechanical, or thermal hazard; or

(iii) Needs to be declared a hazardous material to remove any uncertainty as to whether it is hazardous material;

(2) Set requirements for labeling hazardous material; and

(3) Declare any hazardous material to be a banned hazardous material and require its removal from commerce if the Secretary finds that:

(i) The hazardous material is a danger to the public health and safety; and

(ii) Proper labeling cannot protect the public health and safety adequately.

(b) To the extent the Secretary finds to be consistent with protecting the public health and safety adequately, the Secretary shall adopt rules and regulations that exempt or partially exempt hazardous material from the labeling requirements if compliance with labeling requirements is impractical or unnecessary:

(1) Because of the size of the package that contains the hazardous material;

(2) Because the hazard is minor; or

(3) For other good reason.

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